

Falconry Program Update

I now better understand, and perhaps will be a bit more sensitive to, websites that have somewhat dated material posted. Here it has been February since I last posted a formal update on Utah's Falconry Program. Just consider this one an early December update. I assure you that the schedule for the new Falconry Rule does not reflect a lack of activity.

The following summaries for each topic are provided to update you on some of the real-time issues and concerns we are dealing with. As always, you can reach Anita at (801) 538-4785 or AnitaCandelaria@utah.gov, Celia at (801) 538-4784 or CeliaBunnell@utah.gov, or me directly at (801) 538-4788, JimParrish@utah.gov with any questions, comments or concerns that you have.

Revision of Utah Falconry Rule

Likely the number one item of interest for everyone is the revision of the Utah Falconry Rule. The comment period for the revised U. S. Fish and Wildlife Service (FWS) Falconry Rule ended on November 7, 2008, so their revised rule is now official. Accordingly, we have already initiated the revision process of the Utah Rule to meet compliance issues with the FWS document. States have 5 years to be in compliance with the new federal rule, including participation in the new electronic 3-186a system. For the latter, we have already submitted our 3-186a database to FWS, and it is currently being tested. Two falconers from Utah have agreed to test the system for usability, user-friendliness, etc., and Celia is doing the same here in our office, and we have already uncovered a few items on the system that need attention. The purpose of doing the test entries is to identify problems and get them resolved. We will do our best to keep you informed on that process.

The current Utah Rule expires in March 2009. In terms of revising the Utah Rule, we now have a schedule that we are operating under in order to meet deadlines for our RAC/Board process and those set by FWS. I continue to solicit your requests and comments, and we have been meeting with the current President and past Presidents of the Utah Falconers Club for coordination and input. Those of you that are non-members of the Club are encouraged to send your requests and comments to Anita, Celia, or myself no later than March 31, 2009 for those to be considered.

I met with the Director's Office and our Section Chief, on November 10th, and the following is our current schedule:

Present – Mar 31, 2009 – Continue with revision of the Utah rule

April 16, 2009 – New rule to Director's Office for review

May 12 – 20, 2009 – Revised Utah Rule presented to the RACs

June 4, 2009 – Revised Utah Rule presented to the Utah Wildlife Board

Week of June 8 – 12, 2009 – New Utah Rule submitted to FWS for approval

Early January 2010 – Anticipated approval of Utah Rule by FWS

The above schedule is being presented to the RACs and Board in December 2008 (next month) with a request for an extension of the current rule to run through March 2011. The decision to request a longer extension than one-year is to allow for unforeseen changes or other circumstances that could arise as they have in the past and force another short-term extension request to the RAC and Board. As soon as we have FWS approval, our new rule will be in effect. Until that time, both the existing Utah rule and the existing FWS rule remain in effect.

Passage Peregrine Take

The Passage Take Rule from FWS was hopefully going to be released simultaneously with the revised Federal Falconry Rule. Earlier this month, I spoke with the FWS Migratory Bird Office (MBO) in Arlington on a target release date and was informed that the release date will not be until sometime after the first of the year. On the State level, the allocation of take is being handled via the Nongame Technical Committees (NTCs) within each Flyway; Utah is a member of the Pacific Flyway. Member states within each flyway must determine among themselves the numbers of birds they will allow to be taken within the FWS established limits, and then each flyway must coordinate with all of the other flyways to come up with a final tally for FWS approval. At that point, FWS will authorize a take of passage Peregrines within each of those states that choose to participate. The nestling take quotas will be rolled into the passage take allocations effectively eliminating nestling take as a separate season, at least as far as FWS is concerned. States may choose to keep their nestling take opportunities as a separate season. The Pacific Flyway NTC is holding its first meeting on passage Peregrine take on November 25th. Although the FWS rule has yet to be released, we are moving forward as much as we can to at least get the process started. Obviously, there is much that remains to be decided.

Paperwork and New Annual Report Form

The number one source of problems we face remains with paperwork. We have improved considerably on our working relationship with the MBO office in Denver in anticipation of the approval of the revised Utah rule. Until then, nothing has changed in terms of keeping your COR and Federal Permits current, submitting Form 3-186a's following bird transactions, and submission of Annual Reports no later than the end of January each year for the previous year. **Reminder:** End-of-Year Reports for 2008 are coming up and are due no later than January 31, 2009. A revised year end report form is available on-line now and should be used for your 2008 year end report. The old reporting form only required a listing of birds in possession at the end of the reporting year. With the new form, you are required to report on the birds that you have had in possession during the reporting year as well as the birds in possession at the end of the reporting year. Otherwise, the form is pretty much the same. As always, please contact Anita or Celia for assistance regarding this or any other requirement that you have.

Jim Parrish

Avian Program Coordinator